REMARKS

Claims 1-8 are pending in this application, and have been rejected by the Examiner. Claims 1, 2, 4, 5, 6, and 7 are amended.

Applicant has submitted under separate cover three terminal disclaimers in response to the Examiner's nonstatutory double patenting rejections of claims 1-8 in view of claims 1-28 of U.S. Patents 5,761,647, claims 1-54 of U.S. Patent No. 6,003,013, and claims 1-4 of U.S. Patent No. 6,183,362. The Examiner is asked to withdraw the rejection in view of the terminal disclaimers.

Claims 4 and 5 were objected to because the term "ID" was not initially spelled out upon first use in each claim. Claims 4 and 5 are amended to explicitly recite that "ID" is an abbreviation for "identification." Claim 6 is amended to clarify the antecedent basis for "casino property." These amendments are for purposes of clarification only, and are not made for any reason related to patentability.

Claims 1-8 were rejected under 35 U.S.C. §103 as being unpatentable over either Acres et al. or Slater in combination with Remedio et al. Applicant respectfully traverses such rejection.

Claim 1 as amended recites:

1. In a system including a computer network communicatively coupling a plurality of casino properties, a computer implemented method for tracking patronage of a plurality of customers, each of the customers assigned an account, the method comprising:
> storing a portion of the customer accounts in each of a plurality of databases, each database associated with one of the casino properties and communicatively coupled to the network at the casino property;
> at each casino property, automatically collecting customer betting activity from customer gaming activity at gaming machines, and storing the collected customer betting activity in the database at the casino property;

receiving at the database of a first casino property customer betting activity data from the database at a second casino property; and

updating the customer's account in the database of the first casino property, including updating the customer's theoretical win profile as a function of the betting activity.

The claimed invention allows the account of a customer stored at one casino location to be updated based on the customer's betting activity collected automatically at another casino location. The updated account is used to determine the customer's updated theoretical win profile. A theoretical win is an estimate of the casino's average daily winnings from the customer. The level of comps available to a customer is based on the casino's theoretical win from different gambling activities and the customer's historic level of these gambling activities. Customer betting activity accumulated by the claimed invention is crucial to comping customers at a level commensurate with their expenditures, since it provides the raw data on the customer's betting activity. The claimed invention enables customer betting activity (and thus the customer's theoretical win profile) from one casino to be used at a different casino to provide appropriate comps at the different casino.

Acres discloses a player tracking system that records every machine transaction in order to provide bonusing to certain players at certain times. Similarly, Slater teaches tracking betting activity of table game players and providing this information to casino personnel. However, as the Examiner noted, neither Acres nor Slater teaches, suggests or discloses storing the accounts for a portion of customers in a plurality of databases located at different casino properties, or of updating the account of a customer whose account is stored on a database associated with one casino with betting data received from a second casino.

The addition of Remedio does not cure the defects of Acres or Slater. Remedio discloses a system for manually recording golf scores. Golfers use cartridges to transfer

player data from a local computer to a mobile module that they then carry with them on the golf course to keep track of scoring. Scoring is not automatic — rather, a person must manually input the number of strokes taken to complete each hole on the golf course. The local computers are connected via a network to a central master computer that contains each player's data.

In attempting to combine Acres or Slater with Remedio, the Examiner has brought together two unrelated arts, creating a connection that is untenable. One of skill in the art of casino design and operation would not consider the art of golf club operations and golfer handicapping to be of relevant concern. Operating a successful casino involves attracting a large volume of customers, creating an exciting gaming experience for the customers, and incentivizing customers to repeatedly visit the casinos to increase their total gaming. Being able to "score" a customer based on their "cross property" gaming enables the casino to provide the most appropriate level of incentives to a customer. This is the basis for determining such comps.

There is no parallel that can be drawn between casino patrons and golfers. Golfers join and golf at particular golf clubs because of the particular qualities and demands of the golf course layout, the prestige of the club, the proximity of the course to the player's home, etc. Golf club operators and designers are not concerned with calculating theoretical wins of their players, or any other performance metric, since their revenue is fixed on a per-game basis, and supplemented in many cases by periodic dues. Operators and designers derive no economic value from determining or providing such performance information. Thus, one of skill in the casino arts would not be motivated to combine Remedio's system for scoring golfer scores with either recording individual machine performance in a casino as disclosed by Acres, or with tracking casino betting activity as taught by Slater. Further, the mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the

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modification obvious unless the prior art suggested the desirability of the modification. In re Fritch, 972 F.2d 1260, 1266 n.14, 23 USPQ2d 1780, 1783-84 n.14 (Fed. Cir. 1992). No such suggestion is made by the references cited by the Examiner. Therefore, the combination of references from these two disparate arts is inappropriate. See also MPEP 2141.01(a).
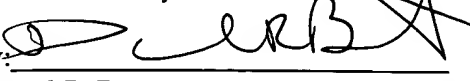
Further still, even if the references were to be combined, at best the combination of the teachings of Acres or Slater with Remedio yields a player profile that can be transferred to a mobile module for the player to carry around through a casino or a golf course while manually entering his score, and then used to update a local database, with a copy being provided to a centralized server. Such a combination, however, does not result in the claimed invention.

Thus, the cited references do not teach, suggest or disclose the claimed invention, and claim 1 is therefore patentable over the cited references. Independent claims 2, 4, 5, 6, and 7 as amended are similarly patentable over the cited references for at least the same reasons as discussed above with respect to claim 1. Dependent claims 3 and 8 are patentable because they recite their own patentable features, and in addition depend from patentable independent claims.

If any issues remain outstanding prior to allowance, the Examiner is requested to contact the undersigned attorney so that they may be expeditiously resolved.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Amended) In a system including a computer network communicatively coupling a plurality of casino properties, a computer implemented method for tracking patronage of a plurality of customers, each of the customers assigned an account, the method comprising:

storing a portion of the customer accounts in each of a plurality of databases,

each database associated with one of the casino properties and

communicatively coupled to the network at the casino property;

at each casino property, automatically collecting customer betting activity from

customer gaming activity at gaming machines, and storing the collected

customer betting activity in the database at the casino property;

receiving at the database of a first casino property customer betting activity data

from the database at a second casino property; and

updating the customer's account in the database of the first casino property,

including updating the customer's theoretical win profile as a function of the

betting activity.

2. (Amended) In a system including a computer network communicatively coupling a plurality of casino properties, a computer implemented method for rewarding patronage of a plurality of customers, each of the customers assigned an account, the method comprising:

storing a portion of the customer accounts in each of a plurality of databases,

each database associated with one of the casino properties and

communicatively coupled to the network at the casino property;

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8   receiving at a first database of a first casino property a request from a second

9   database at a second casino property for a customer's theoretical win profile

10   from a customer account stored in the first database, the theoretical win

11   profile at least partially determined from the customer's betting activity

12   collected automatically from customer gaming activity at gaming macines;

13   and

14   transmitting the customer's theoretical win profile from the first database to the

15   second database.

1   4. (Amended) A system for tracking customer activity at a plurality of casino

2 properties using customer accounts and customer [IDs] identifications (IDs), the system

3 comprising:

4   a local computer system at each of the casino properties;

5   a communications network communicatively coupling the local computer

6   systems;

7   at least one input device at each casino property and coupled to the local

8   computer system for transmitting customer activity data received at the

9   input device, including a customer ID and any automatically obtained

10   customer betting activity, to the local computer system;

11   a management system coupled to each of the local computer systems for

12   receiving the customer activity data from the coupled input devices, the

13   management system being further coupled to a distributed database for

14   selectively retrieving customer account data from the distributed database

15   associated with the customer ID, and selectively updating the retrieved

16   customer account data with the received customer activity data from the

17   coupled input device; and

18   a distributed database comprising:

19	a plurality of customer accounts for the customers, each customer
20	account having an associated customer ID, and customer activity
21	data including an accumulated point balance, and a theoretical
22	win profile generated from the betting activity of the customer at
23	any of the plurality of casino properties; and
24	a database management program for receiving customer activity data from each
25	casino property and updating the customer accounts of the distributed
26	database, including the accumulated point balance and the theoretical win
27	profile of each customer account, to reflect customer activity data at the
28	plurality of casino properties, and providing selected customer activity data
29	to a local computer system at a casino property through the management
30	system coupled to the local computer system.

1	5. (Amended) A method for making a theoretical win profile of any of a
2	plurality of customers available at a plurality of casino properties, the method
3	comprising:
4	at each of the casino properties, storing in a local database a plurality of
5	customer accounts for a portion of the customers, each customer account in
6	the local database associated with a customer [ID] identification (ID) and a
7	theoretical win profile;
8	in response to an input of a customer ID to a computer system at a first casino
9	property, retrieving from the local database of a second casino property the
10	theoretical win profile from the customer account associated with the input
11	customer ID;
12	receiving at the first casino property, customer betting activity data of the
13	customer associated with the customer ID, and collected automatically from
14	customer gaming activity at gaming machines; and

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15   updating the theoretical win profile of the customer account in the local database

16   of the first casino property as a function of the received customer betting

17   activity and the retrieved theoretical win profile.

1   6. (Amended) A computer implemented method for tracking patronage of

2 customers, the method comprising:

3   storing at each <u>of a plurality of</u> casino [property] <u>properties</u> a database of

4   customer accounts, each customer account associated with a customer, each

5   of the databases communicatively coupled to a computer network;

6   <u>at each casino property, automatically collecting customer betting activity from</u>

7   <u>customer gaming activity at gaming machines, and storing the collected</u>

8   <u>customer betting activity in the database at the casino property;</u>

9   receiving via the network at the first database of a first one of the casino

10   properties, customer betting activity data from a second casino property; and

11   updating in the customer's account in the first database a theoretical win profile

12   as a function of the received customer betting activity data.

1   7. (Amended) A system for tracking patronage of a plurality of customers at a

2 plurality of casino properties, the system comprising:

3   a local computer system at each of the casino properties, each local computer

4   system including a local database storing accounts for a portion of the

5   plurality of customers, each account associated with a customer and a

6   theoretical win profile generated as a function of betting activity of the

7   customer <u>collected automatically</u> at any of the plurality of casino properties;

8   for each local computer system, a database management program

9   communicatively coupled to the local database of the local computer system,

10   for receiving customer betting activity data of a customer, for updating the

11   theoretical win profile of the customer in the customer's account in local

12   database; and

13 a communications network communicatively coupling each of the local

14   computer systems, allowing the local databases to communicate to each

15   other customer betting activity of a customer or a customer's theoretical win

16   profile.

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